

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66921 of 2018

Arising Out of PS. Case No.-80 Year-2017 Thana- BAIKUNTHPUR District-
Gopalganj

- =====
1. Mukesh Rai S/o Oshihar Rai,
 2. Suresh Rai, Son of Sri Sikandar Rai @ Sikil Sadar Rai, Both resident of Village- Faizullahpur, P.S.- Baikunthpur, District- Gopalganj.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Uday Pratap Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 05-02-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 364, 302, 201, 120B/34 of the Indian Penal Code registered in connection with Baikunthpur P.S. Case No. 80 of 2017.

3. It is submitted that the petitioners have been falsely implicated on mere suspicion except which, there is no other material to connect the petitioner with the alleged occurrence. There are no eye witness to the alleged occurrence. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant has not pointed out any objective material against the petitioners in the case diary.

5. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named



petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Sri Neeraj Kumar Pandey, learned Judicial Magistrate 1st Class, Gopalganj in connection with Baikunthpur P.S. Case No. 80 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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